

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Michael Fantuzzi

Application No. 10/674,268

Filed: September 29, 2003

For: SOLUBILIZED CoQ-10

Examiner: Kosson, Rosanne

Art Unit: 1652

Confirmation No. 3101

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§1.97(b)(4) and 1.98**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Examiner is requested to consider the references noted on the enclosed Form PTO/SB/08A and B during examination of the above-identified patent application. These references are submitted for the Examiner's consideration and are submitted pursuant to the duty of disclosure under 37 C.F.R. § 1.56. In submitting these references, no representation is made or implied that the references are or are not material to the examination of the application. The Examiner is requested to review the cited references and is encouraged to make his or her own determination of materiality of the references cited on the enclosed Form PTO/SB/08A and B. Pursuant to the requirements of 37 C.F.R. § 1.98(a)(2), only copies of the foreign references and non-patent literature documents are provided. Copies of the U.S. patent and U.S. patent application publication references are not provided, unless required by the Office.

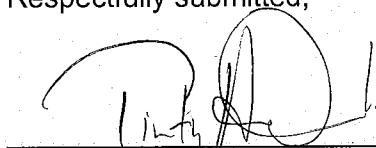
Applicant directs the Examiner's attention to *McKesson Information Solutions, Inc. v. Bridge Medical, Inc.*, 487 F.3d 897, in which the Federal Circuit Court held that inequitable conduct existed on behalf of applicant for failure to disclose "items of information during prosecution . . . of copending applications." Out of an abundance of caution, Applicant has cited on the enclosed Form PTO/SB/08A and B the prosecution documents of applications related to the above-referenced application.

This Supplemental Information Disclosure Statement is being filed before the first Office action following the filing of a Request for Continued Examination. Accordingly, pursuant to 37 C.F.R. § 1.97(b)(4), no fees are due with respect to this filing. However, should any such fees or petitions be required, please consider this a request therefor and authorization to charge Deposit Account No. 04-1415 as necessary.

If the Examiner has any questions, please contact the undersigned attorney.

Signed this 18 day of December, 2010.  
*TAW*

Respectfully submitted,

  
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